



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,503	02/11/2004	Joseph A. Zupanick	067083.0301	5269

26231 7590 01/11/2005

FISH & RICHARDSON P.C.
5000 BANK ONE CENTER
1717 MAIN STREET
DALLAS, TX 75201

EXAMINER

GAY, JENNIFER HAWKINS

ART UNIT	PAPER NUMBER
----------	--------------

3672

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
JAN 26 2005
GROUP 3600

**Supplemental
Notice of Allowability**

Application No.

10/777,503

Examiner

Jennifer H Gay

Applicant(s)

ZUPANICK, JOSEPH A.

Art Unit

3672

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's inquiry regarding the IDS filed 11/12/04, 11/23/04, 11/24/04.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☒ The drawings filed on 11 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/12/04, 11/23/04, 11/24/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


DAVID BAGNELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Substitute Form PTO-1449

U.S. Department of Commerce
Patent and Trademark Office

Attorney's Docket No.

17601-032002

Application No.

10/777,503

Information Disclosure Statement
by Applicant

(Use several sheets if necessary)

Applicant

Joseph A. Zupanick

Filing Date

February 11, 2004

Group Art Unit

3672

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
J	A1	3,744,565	07/10/1973	Brown			
J	A2	4,060,130	11/29/1977	Hart			
J	A3	2002/0043404 A1	04/18/2002	Trueman et al.			

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
B	B1	EP 1 316 673 A2	06/04/2003	EPO			N/A	
B	B2	SU-876968	10/30/1981	Russia				X

Other Documents (include Author, Title, Date, and Place of Publication)


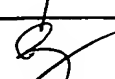
Examiner Initial	Desig. ID	Document
J	C1	Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration (3 pages), International Search Report (5 pages) and Written Opinion of the International Searching Authority (6 pages) re International Application No. PCT/US2004/012029 mailed September 22, 2004
	C2	Brunner, D.J. and Schwoebel, J.J., "Directional Drilling for Methane Drainage and Exploration in Advance of Mining," REI Drilling Directional Underground, World Coal, 1999, 10 pages
	C3	Thakur, P.C., "A History of Coalbed Methane Drainage From United States Coal Mines," 2003 SME Annual Meeting, February 24-26, Cincinnati, Ohio, 4 pages
	C4	U.S. Climate Change Technology Program, "Technology Options for the Near and Long Term," 4.1.5 Advances in Coal Mine Methane Recovery Systems, pp. 162-164
	C5	Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration (3 pages), International Search Report (3 pages) and Written Opinion of the International Searching Authority (7 pages) re International Application No. PCT/US2004/017048 mailed October 21, 2004
	C6	Gardes, Robert, "Multi-Seam Completion Technology," Natural Gas Quarterly, E&P, June 2004, pp. 78-81
	C7	Baiton, Nicholas, "Maximize Oil Production and Recovery," Vertizontal Brochure, received 10/2/2002, 4 pages
J	C8	Dreiling, Tim, McClelland, M.L. and Bilyeu, Brad, "Horizontal & High Angle Air Drilling in the San Juan Basin, New Mexico," Dated on or about 3/6/2003, pp. 1-11

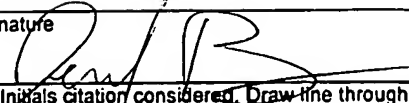
Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17601-032002	Application No. 10/777,503
Information Disclosure Statement by Applicant (Use several sheets if necessary)		Applicant Joseph A. Zupanick	
		Filing Date February 11, 2004	Group Art Unit 3672
(37 CFR §1.98(b))			

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	C9	Fong, David K., Wong, Frank Y., and McIntyre, Frank J., "An Unexpected Benefit of Horizontal Wells on Offset Vertical Well Productivity in Vertical Miscible Floods," Canadian SPE/CIM/CANMET Paper No. HWC94-09, paper to be presented March 20-23, 1994, Calgary, Canada, 10 pages
	C10	Fischer, Perry A., "What's Happening in Production," World Oil, June 2001, p. 27
	C11	Website of PTTC Network News Volume 7, 1 st Quarter 2001, Table of Contents, http://www.pttc.org/.news/v7n1nn4.htm printed 04/25/2003, 3 pages
	C12	Cox, Richard J.W., "Testing Horizontal Wells While Drilling Underbalanced," Delft University of Technology, August 1998, 68 pages
	C13	McLennan, John, et al., "Underbalanced Drilling Manual," Gas Research Institute, Chicago, Illinois, GRI Reference No. GRI-97/0236, copyright 1997, 502 pages
	C14	The Need for a Viable Multi-Seam Completion Technology for the Powder River Basin, Current Practice and Limitations, Gardes Energy Services, Inc., Believed to be 2003 (8 pages)

Examiner Signature 	Date Considered 1/10/05
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449 (Pre-AIA)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17601-032002	Application No. 10/777,503
Information Disclosure Statement by Applicant (Use several sheets if necessary)		Applicant Joseph A. Zupanick	
		Filing Date February 11, 2004	Group Art Unit 3672

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A1	4,417,829	11/29/1983	Berezoutzky			
	A2	6,237,284	05/29/2001	Erickson			
	A3						
	A4						
	A5						
	A6						
	A7						
	A8						
	A9						

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	B1							
	B2							
	B3							
	B4							
	B5							

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	C1	Langley, Diane, "Potential Impact of Microholes Is Far From Diminutive," JPT Online, http://www.spe.org/spe/jpt/jps , November 2004 (5 pages)
	C2	Consol Energy Slides, "Generating Solutions, Fueling Change," Presented at Appalachian E&P Forum, Harris Nesbitt Corp., Boston, October 14, 2004 (29 pages)
	C3	Notification of Transmittal of the International Search Report and the Written Opinion of the International Searching Authority, or the Declaration (3 pages), International Search Report (3 pages), and Written Opinion of the International Searching Authority (5 pages) re International Application No. PCT/US2004/024518 mailed November 10, 2004
	C4	

Examiner Signature 	Date Considered 1/10/05
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449

U.S. Department of Commerce
Patent and Trademark Office

Attorney's Docket No.

17601-032002

Application No.

10/777,503

**Information Disclosure Statement
by Applicant**

(Use several sheets if necessary)

(37 CFR §1.98(b))

Applicant,

Joseph A. Zupanick

Filing Date

February 11, 2004

Group Art Unit

3672

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A1	2004/0226719 A1	11/18/2004	Morgan et al.			
	A2						
	A3						
	A4						
	A5						
	A6						
	A7						
	A8						
	A9						

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	B1							
	B2							
	B3							
	B4							
	B5							

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	C1	Schenk, Christopher J., "Geologic Definition and Resource Assessment of Continuous (Unconventional) Gas Accumulations – the U.S. Experience," Website, http://aapg.confex.com/.../ , printed November 16, 2004 (1 page)
	C2	U.S. Department of Interior, U.S. Geological Survey, "Characteristics of Discrete and Basin-Centered Parts of the Lower Silurian Regional Oil and Gas Accumulation, Appalachian Basin: Preliminary Results From a Data Set of 25 oil and Gas Fields," U.S. Geological Survey Open-File Report 98-216, Website, http://pubs.usgs.gov/of/1998/of98-216/introl.htm , printed November 16, 2004 (2 pages)
	C3	

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Disclosure Form (PTO-1449)